The pernicious activities of the loan sharks furnish many cases for our attorney. There are at least thirty in Newark fattening upon the poor and helpless. Interest rates, disguised as charges for legal services and as agent's commission in procuring the loan, range from forty to one hundred and fifty per cent, and the class thus exploited are but one degree removed from poverty, as they generally borrow only when a husband, son, daughter or other means of support has failed.

The first society of this kind was established in New York over a generation ago and there are now similar organizations in Philadelphia, Boston, Cleveland, Detroit, San Francisco, Atlanta and other large cities. The legal dispensary in Edinburgh, Scotland, is modeled after the New York Society. J. W. G.

The Law's Delay.—The justices of the Supreme Court of Brooklyn have, during the past nine months, brought nearly up to date a calendar that last fall was three years in arrears. This, says the Outlook, "is an encouraging indication of what can be accomplished elsewhere in the State and in the Nation if the courts set about the work in the same spirit of determination to put an end to the law's needless delays. Legislation may be necessary for this purpose in some parts of the country; but what is much more needed than new legislation is a spirit of determination on the part of the courts and cordial co-operation on the part of the lawyers. Delay in the administration of justice is often a denial of justice; and, if the courts and lawyers could be made to realize this, the present denial of justice owing to delay would be greatly lessened. In October, 1910, causes at issue in 1907 (that is, causes ready for trial and placed upon the calendar of the court) were being tried. In other words, the court was three years behind in the administration of justice. Nine months later—that is, in June, 1911—the latest issue tried in regular order was November 11, 1909, which shows that at the close of the court year the court was about a year and a half behind. In other words, in nine months it had tried enough cases in number to reduce the delay from three years to a year and a half. If the same progress is made next year, there is good reason to believe that in June, 1912, the court will be trying the issues which have just been joined and placed upon the calendar. In other words, the court will not be behind at all. A further indication of how the disposition of the cases by the court has been, and is, exceeding the incoming business is shown by the following figures: From and including October, 1910, to June 30, 1911, the last court year, the total number of new issues filed (or cases placed upon the calendar) was 2,803. The number disposed of during the same time, including trials, settlements, dismissals, etc., upon the regular call in order in court, was 3,267, or 464 more cases disposed of than were placed upon the calendar. These figures apply to jury trials only; for as to cases tried by the court without a jury, the calendar is up to date. This result has not been achieved without hard work. There have been during these months seven jury parts, one of which was given over a good portion of the time to criminal business. The judges have held court from 10 A. M. to 4:30 P. M. regularly, and as often as once or twice a week, one or more of the judges has sat as late as six o'clock. Trial term is not held on Saturday, otherwise there has been no break in the Court sessions except during the week of the Christmas holidays. It should be added that many of the judges, holding trial terms and sitting five

days during the week, have been called upon to sit on Saturday to dispose of Special Term matters."

Judge R. M. Wanamaker, of Kansas City, tells of his experience with the law's delay in a recent article in the *Gazette Globe:*

"In all trials one side must lose, and not infrequently both of them lose. An instance of the latter is contained in an account of a petty case, too common in our courts:

" 'Here is an account of a lawsuit where a $1 dog causes $400 costs of litigation. The case has been on the dockets for a year and last week it was decided, though it took two days of the court's time, four lawyers and thirty witnesses to complete the job. The man who sued for the dog lost.

" 'The suggestion about this matter is that the law should impose upon a court the duty of settling such affairs by a ten minutes' interview with both the parties. Such a thing is often done by just such simple process in the United States courts. We have seen sources of quarrels between sea captains and seamen settled by the United States judge in ten minutes' interview and settled more justly than if tried in the usual way with contentious lawyers and lying witnesses. We need such a court in the States to relieve them of the disgrace of petty litigation.' The friendly, fair and fearless intervention of the trial judge would dispose of nine-tenths of the cases of this character by generally eliminating the bad blood and bringing the litigants to understand the trivial character of the lawsuit. It must not be understood that because a claim is small it should not have fair and decent consideration by a court or that only large amounts in controversy should have such consideration, but it is quite apparent that three-fourths of the civil business of courts, which occupies the major portion of their time and labor, consists of mere money questions. It has never yet been demonstrated that it is good business to spend a hundred dollars for a fifty-dollar judgment, unless some principle of law or public policy needs to be determined.

"Six hours at most is an average court day. It will be readily seen that if ten minutes are lost by opening court at a late hour, ten minutes more in the examination of this witness and of that witness, ten minutes more in some petty argument upon a trivial objection, and so on, throughout the day's work, one-half of your time has been frittered away and nothing accomplished.

"It is to be expected that there will be opposition and criticism of these policies from some judges and many lawyers. Criticism will bring discussion and discussion will bring publicity. When the people once are brought to realize the situation generally obtaining to-day in courts, these and many other reforms will be speedily brought about. Publicity has done much to purge business of its wrongs and injustice. It will do much to purge courts of theirs.

"During the last five years upon the bench I have vigorously endeavored to employ these various ways and means of expediting business, and other short cuts to justice. The longest civil case tried, either with or without a jury, has occupied but three days, and but two criminal cases have exceeded three days. To-day we are trying civil jury cases begun within the last two or three months. While I probably have had the average number of reversals, it is gratifying to know that no case has been reversed because of an abuse of discretion or the adoption of any short cut to justice. Wherever I have erred in the

exercise of discretion, it has been in giving still too much consideration to old-time precedent and technical procedure.

"Courts themselves must restore to the public mind a very general loss of confidence in courts. They must do it by solving business questions by business methods, so that justice is done without fear or favor, denial or delay. The public are fast becoming awake as to all departments of the public service. They are asking questions of the professor, of the parson, of the statesman and of the judge."

In this connection it is interesting to observe that recently an attorney in Jersey City, after having his appeal dismissed by the court, was called upon to give cause why he should not be disbarred. The objection to the appeal was simply that it was frivolous. Some such strenuous measure as this, if applied upon courts, might go a long way toward relieving us of unnecessary delay in legal procedure. R. H. G.

Three Miscarriages of Justice.—The *Boston Transcript* on August 7, 1911, commented editorially as follows on three cases which have recently been before out Federal courts:

"The argument for the impeccability of judges, and particularly a continuance of the system of life appointment which we in the East hold to pretty rigidly, has received of late a severe jar by the actions of the Federal Court in New York City. It is beginning to appear that there may be something as bad and offensive to real justice in our system as in the recall provisions in the Arizona constitution which we have been hooting at and declaring to be a cowboy and wildcat legislation. Our readers will recall that on May 25, in the trial of the Duveen smuggling case in New York City, Judge J. L. Martin, United States district judge of Vermont, sitting as circuit judge in New York, refused to sentence Henry J. Duveen to prison but let him off with a fine. One reason given for this decision was that Duveen's health was such that he would die in prison; but all have heard of so many of these hopelessly ill culprits who miraculously recovered after being let out of jail or after a similar soft-hearted and soft-headed judge had refused to sentence them to prison, that Judge Martin ought not to be excused for his blindness in this instance. This was a singularly offensive case. The Duveens were given special privileges by the custom-house officers. They were allowed to appraise their own goods and even the goods of their competitors because of their eminent standing. In this way they not only robbed the Government but they had a chance to 'sting' their competitors more than the proper duties. At last they were detected in having themselves underestimated the value of things they brought in and also in having smuggled in, without any duty whatever, millions of dollars of goods. As we said at the time, there is absolutely no excuse for these smugglers, no reason why they should escape punishment. It may not be well to send a dying man to prison, but there is no reason why the judge should not have sentenced and then suspended the sentence and see if Duveen would die so promptly.

"This case attracted attention throughout the country. It was succeeded on July 20 by another customs fraud case, when Hugo Rosenberg, implicated in customs frauds to the extent of one million and a half, was freed by Judge Archbald of the United States Circuit Court on the payment of a twenty-five thousand dollars fine. This sentence was made in spite of the powerful plea